

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**April 3, 2014**  
**1777 Broadway, Council Chambers**

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**PLANNING BOARD MEMBERS PRESENT:**

Aaron Brockett  
Bryan Bowen  
Crystal Gray  
John Putnam  
Mary Young, Chair  
Sam Weaver  
Leonard May

**STAFF PRESENT:**

Charles Ferro, Development Review Manager for CP&S  
David Gehr, Assistant City Attorney  
Chandler Van Schaack, Planner I  
Karl Guiler, Senior Planner  
Heidi Hansen, Engineer I  
Elaine McLaughlin, Senior Planner  
Susan Meissner, Administrative Assistant III

**1. CALL TO ORDER**

Chair, **A. Brockett**, declared a quorum at 5:03 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

There were no minutes scheduled for approval.

**3. PUBLIC PARTICIPATION**

No one from the public spoke.

**4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS**

- A. Call up: 2245 Pine Street. Expires April 4, 2014
- B. Call Up Item: Wetland Permit (LUR2014-00018): US 36 Wetlands Mitigation. Expires April 10, 2014.

Neither item was called up.

**5. PUBLIC HEARING ITEMS**

- A. Public hearing and consideration of a Use Review application, no. LUR2012-00101, for expansion of the Family Learning Center located at 3164 34<sup>th</sup> St. in the Residential

Medium-One (RM-1) zone district. The proposal includes a new, 2,427 square foot classroom addition as well as site, landscaping and parking lot improvements.

Applicant/Owner: The Family Learning Center

**Staff Presentation:**

**C. Ferro** introduced the item.

**C. Van Schaack** presented the item to the board.

**Board Questions:**

**C. Van Schaack** answered questions from the board.

**C. Ferro** answered questions from the board.

**Board Comments:**

**J. Putnam** thought that this item complied with all of the criteria.

**A. Brockett** thought that this was a great project and organization.

**Motion:**

On a motion by **J. Putnam**, seconded by **J. Gerstle**, the Planning Board voted 6-0 (**C. Gray** absent) to approve Use Review application No. LUR2012-00101 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval 1, 2 and 3.

- B.** Public hearing and consideration of a Use Review application, no. LUR2013-00065, for approval of an 11-space parking lot as a second principal use in addition to a proposed 3-unit residential townhome development at 2360 Grove St. in the RH-2 zone district (see LUR2013-00051 for associated Site Review).

Applicant: Peter Stewart

Owner: Grove 3, LLC

**Staff Presentation:**

**C. Ferro** introduced the item.

**C. Van Schaack** presented the item to the board.

**Board Questions:**

**C. Van Schaack** answered questions from the board.

**C. Ferro** answered questions from the board.

**Motion:**

On a motion by **J. Putnam**, seconded by **L. Payton**, the Planning Board voted 6-0 (**C. Gray** absent) to approve Use Review application No. LUR2013-00065 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval 1 and 2.

C. Public hearing to consider application #LUR2014-00003 to amend the previous Site and Use Review approval (case #LUR2008-00083) for the Washington Village project, located at 1215 Cedar Avenue, which allowed 33 dwelling units and 2,950 square feet of office/commercial space on the ground floor of a new building along Broadway and community facilities on the 3-acre site. The following modifications within the RH-2 (Residential High – 2) zoning district are requested:

- Addition of three dwelling units bringing the site total to 36 dwelling units (30 dwelling on the RH-2 side);
- Additional floor area within the Broadway Building and North Building totaling 5,059 square feet (1,152 square feet would be above grade with the remaining space in basements and storage).
- Reconsideration of the previously approved Use Review to change a condition of approval to reduce parking by one parking space in light of a proposed 300 square feet reduction in the commercial space; and
- A parking reduction of 11 percent.

Applicant: Adrian Sopher, Sopher Architects

Property Owner: Washington School Development Company, LLC

**B. Bowen** recused himself from this item.

**Staff Presentation:**

**C. Ferro** introduced the item.

**K. Guiler** presented the item to the board.

**Board Questions:**

**K. Guiler** answered questions from the board.

**C. Ferro** answered questions from the board.

**Applicant Presentation:**

**Jim Leach**, the developer, presented to the board.

**Adrian Sopher**, the architect, presented the item to the board.

**Board Questions:**

**K. Guiler** answered questions from the board.

**Chris McGranahan**, parking consultant, answered questions from the board.

**D. Gehr** answered questions from the board.

**Adrian Sopher** answered questions from the board.

**Jim Leach** answered questions from the board.

**Public Hearing:**

1. **David Carson, 3085 6<sup>th</sup> Street**, spoke in favor of the application. He and his wife are waiting to move into a Washington Village apartment. He noted that this amendment will allow for more moderately priced residences in the area and open larger housing stock for families.

2. **Kathy Icenogle, 2905 13<sup>th</sup> Street** (pooled time with **M. Christensen**), a resident of Washington Village, spoke in favor of the project. She spoke to the integrity of the developer and noted that parking should not be an issue. She did not think that the pedestrian path will be an important thoroughfare.
3. **Joan Brody, 2950 Broadway**, spoke in opposition to the project citing the negative impacts from solar shading and increased density. She requested that the developer construct a fence along the northwest edge of the development for safety and privacy.
4. **Stan Kyed, 2945 13<sup>th</sup> Street**, a neighbor to the north of the development, noted that the conditions of approval from 2009 are very important and encouraged the board not to change them. He opposed the project but could live with the project with the current conditions. He wanted to know the hydrological implications on the neighborhood with more excavation.

#### **Board Comments:**

##### **Site Review**

**L. May** thought the proposal was an improvement and highly supportable. It generally fit the site review criteria and city's goals for infill and density around transit corridors. He noted that the trade off in parking between daytime and nighttime use is not relevant to the application as it has already been settled through the previous processes.

**J. Putnam** agreed with **L. May**. This meets the zoning and provides a good transition between the corridor along Broadway and the adjacent neighborhood. He thought that the reduction of unit size to increase affordability was appropriate and aligned with city goals.

**L. Payton** encouraged the applicant to address Joan Brody's concerns.

**A. Sopher** noted that the fence permit has been pulled and must be built on Mr. Kyed's property per condition of approval prior to obtaining a Certificate of Occupancy. He noted that the new construction should not cast a shadow on the Red Arrow property.

**L. Payton** spoke in favor of the increased number of smaller, affordable units and approval per staff's recommendations and the conditions of approval. She would like to see the fence extended to meet Ms. Brody's request.

**A. Brockett** thought that this proposal was an improvement from the existing application. He thought the addition of smaller unit better meets the city's goals. The impacts regarding site and bulk meet the site review criteria.

**J. Gerstle** thought the aesthetic changes to the Broadway building were acceptable given that they will only affect the eastern facade. The continuation of the fence to along the Red Arrow development was a reasonable condition of approval.

**L. May** thought that the fence should be worked out between the Washington Village and Red Arrow property owners. He did not want to make it a condition of approval.

**J. Putnam** agreed with **L. May**. He would strongly encourage the property owners to work out a fence solution. He noted that only one resident spoke on behalf of the Red Arrow complex.

**J. Gerstle** thought that it would be appropriate for the Washington Village to pay for the fence if the majority of Red Arrow residents agreed with Ms. Brody.

**A. Brockett** agreed with **L. May**. He did not think the fence should be a condition of approval and should be worked out between the property owners.

**J. Gerstle** thought that the addition of three units was sufficient rationale for the change.

**L. May** did not feel that there was a strong argument to change the path per site review criteria. He thought the permeability issues could have been better addressed but those issues have already been decided in previous site reviews. He did not think that the pathway was of consequence and should be left up to the applicant.

**J. Putnam** agreed with **L. May**. He thought that the changes were minor and should be left up to the applicant and staff. He encouraged them to remove the step for better handicap accessibility.

**L. Payton** supported the path as approved. She thought it was an important remnant of the old school path.

**A. Brockett** had a minor preference toward the staff recommendation but thought that the impacts of the pathway on the Red Arrow privacy should be taken into account in the final placement decision.

**J. Gerstle** thought that the staff recommendation was appropriate.

### **Parking**

**J. Putnam** thought that the parking reduction easily met the requirements, was appropriate and moderate.

**L. Payton** supported the parking reduction. She noted the importance of neighbors' input because they know the realities better than anyone. She was glad to know that there were reserved parking spaces to alleviate potential problems.

**A. Brockett** thought that the project could be over-parked but advocated for keeping it as is to avoid any negative impacts on the neighborhood.

**J. Gerstle** thought the parking, as proposed, was appropriate.

**L. May** thought the parking reduction was appropriate. He noted that the neighborhood is taking a load from Ideal Market and in-commuter but did not think that Washington Village should be responsible for bearing the external burden. He thought that this should be seen through a prism of climate change; we should make parking more difficult. Neighborhoods will have to bear an interim burden until people drive less.

The board found no issues with the reduction in the amount of commercial space.

### **Motion:**

On a motion by **A. Brockett**, seconded by **J. Putnam**, the Planning Board voted 4-1 (**C. Gray** absent, **B. Bowen** abstained, and **L. Payton** opposed) to approve Site and Use Review No.

LUR2014-00003 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval which are conditions 1, 2, 3, and 4 in the memo.

On a friendly amendment by **J. Putnam** seconded by **A. Brockett**, proposed to amend the proposed Condition of Approval 3b to say, “A final site plan illustrating the approved site configuration for the environs, the Broadway building, and North building including an adequate path as well the curb ramp to be constructed to the Broadway signal”.

**L. Payton** opposed because she did not agree with the friendly amendment.

## **6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**

**A. Brockett** will allow for more time in the hearing for the applicant to rebut the public’s comments. This will be left up to the chair.

**L. Payton** asked for clarification on the role of the Planning Board ex-officio board member on the Landmarks board.

**L. May** thought that it would be important for the Planning Board to provide more input to Council on the Comprehensive Housing Strategy.

## **7. DEBRIEF MEETING/CALENDAR CHECK**

**L. May** will represent the Planning Board at the Resilient Cities workshop.

## **8. ADJOURNMENT**

The Planning Board adjourned the meeting at 7:56 p.m.

APPROVED BY

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Board Chair

\_\_\_\_\_  
DATE